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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,142	07/24/2003	Paul A. Burgio	58359US003	9324
32692	7590	02/18/2010	EXAMINER	
3M INNOVATIVE PROPERTIES COMPANY			SUTTON, DARRYL C	
PO BOX 33427			ART UNIT	PAPER NUMBER
ST. PAUL, MN 55133-3427			1612	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* PAUL A. BURGIO,  
MAHFUZA B. ALI and SUMITA B. MITRA

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Appeal No. 2010-002957  
Application 10/626,142  
Technology Center 1600

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Mailed: February 18, 2010

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Before MERRELL C. CASHION JR., *Resource Administrator.*

ORDER REMANDING THE CASE TO REOPEN PROSECUTION

On September 8, 2008, Appellants filed a Notice of Appeal. On September 15, 2009, the Examiner mailed an Examiner's Answer including a new ground of rejection and giving Appellants the option to either (1) Reopen prosecution or (2) Maintain appeal. On November 13, 2009, Appellants filed a communication electing to reopen prosecution before the Examiner.

Appeal No. 2010-002957  
Application No. 10/626,142

Accordingly, the appeal in this application is remanded to the Examiner to reopen prosecution and for further action as appropriate.

If there are any further questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

MCC:psb

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